

SPECIAL MEETING OF COUNCIL

Minute of Special Meeting of Perth and Kinross Council held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 22 November 2017 at 1.00pm.

Present: Provost D Melloy, Councillors C Ahern, H Anderson A Bailey, K Baird, B Band, M Barnacle, P Barrett, B Brawn, I Campbell, H Coates (from Art. 689 onwards), S Donaldson, D Doogan, E Drysdale, A Forbes, T Gray, D Illingworth, I James, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade, T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, C Reid, W Robertson, F Sarwar, C Shiers, L Simpson, C Stewart, R Watters, M Williamson and W Wilson.

In Attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; B Renton, Interim Executive Director (Environment); G Taylor, L Simpson, S Hendry, G Fogg, C Elliott, C Flynn, K Molley, L Potter and S MacKenzie (all Corporate and Democratic Services); P Marshall, B Murray, N Brian, H Biro, K Briggs and A Finlayson (all The Environment Service); C Mailer and N Robson (both Housing and Community Safety).

Provost D Melloy, Presiding.

687. WELCOME AND APOLOGIES

Provost Melloy welcomed all those present to the meeting. No apologies were submitted.

688. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

689. PROPOSED LOCAL DEVELOPMENT PLAN 2

There was submitted a report by the Depute Chief Executive (Chief Operating Officer) (17/387) seeking (1) approval of the Proposed Perth and Kinross Local Development Plan 2 (LDP2) and supporting documents and (2) agreement to publication of the plan for representations from 1 December 2017 to 2 February 2018.

Prior to discussion, Provost Melloy highlighted a number of points:

- (i) As the Proposed Local Development Plan required to be consistent with the Strategic Development Plan (TAYplan), any amendments to the Proposed Local Development Plan would require to remain consistent with the TAYplan and take account of a range of documents produced by the Scottish Government and others.

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- (ii) Any proposed amendments to the Proposed Local Development Plan would be taken in the following order:
- Chapter 3 – Policies
 - Chapter 4 – Settlements Statements – starting alphabetically with A, B, C, D-G, H-O, then Perth, and finally Perth Airport – W
 - Any other amendments
- (iii) It was agreed that in terms of Standing Order 43, and in the event that any proposed amendments came forward all or parts of which were unrelated, the requirement of Standing Order 43 would be suspended. This would allow unrelated amendments to the Proposed Plan to be voted on their individual merits.

Thereafter, officers answered a number of questions from members on the Proposed Local Development Plan.

THERE FOLLOWED A 10 MINUTE RECESS AND THE MEETING RECONVENED AT 1.55PM

Motion (Councillors Campbell and Lyle)

The Council is asked to:

- (i) Note the contents of the Environmental Report Addendum.**
- (ii) Approve the amendments proposed to the Development Plan Scheme as outlined in Report 17/387.**
- (iii) Approve the Proposed Local Development Plan and agree to its publication on 1 December 2017, allowing a 9 week period for representations.**
- (iv) Authorise the Depute Chief Executive (Chief Operating Officer) to make changes to the format, appearance and technical details of the Proposed Plan and associated documents prior to its publication and also to correct any factual inaccuracies identified in the Proposed Plan.**
- (v) Agree the preparation and publication of a schedule of responses in line with the Council decision on the Proposed Plan.**
- (vi) Instruct the Depute Chief Executive (Chief Operating Officer) to report the representations received on the Proposed Plan back to the Council.**
- (vii) Approve the Draft Action Programme for consultation with stakeholders.**
- (viii) Instruct the Director (Environment) to submit to the Environment, Enterprise & Infrastructure Committee a report on the necessary steps to promote higher design standards in developments.**
- (ix) Instruct the Director (Environment) to submit to the Environment, Enterprise & Infrastructure Committee a report on a strategy for the delivery of employment land to meet emerging needs in Perth & Kinross.**

COUNCILLOR COATES ENTERED THE MEETING AT THIS POINT

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Amendments on Chapter 3 – Policies

Amendment 1 (Councillors X McDade and R Brock)

An amendment is sought to the Proposed LDP2 Policy 28A: New Development in Conservation Areas. It is requested that “and sympathetic” is added in to the second sentence of the first paragraph after the word appropriate.

The amended text of the policy is shown below with the additional wording in red.

Policy 28A: New Development

Development within a Conservation Area must preserve or enhance its character or appearance. The design, materials, scale and siting of new development within a conservation area, and development out with an area that will impact upon its special qualities should be appropriate **and sympathetic** to its appearance, character and setting.

Where a Conservation Area Appraisal has been undertaken for the area, the details contained in that appraisal should be used to guide the form and design of new development proposals.

Applications for Planning Permission in Principle in Conservation Areas will not be considered acceptable without detailed plans, including elevations, which show the development in its setting.

Amendment 2 (Councillors X McDade and A Bailey)

An amendment is sought to the Proposed LDP2 Policy 37: Landscape. It is requested that “including the creation of new hill tracks” is added in to the first sentence of the first paragraph after the word change.

The amended text of the policy is shown below with the additional wording in red as amendment above.

Policy 37: Landscape

All Landscapes

Development and land use change, **including the creation of new hill tracks**, should be compatible with the distinctive characteristics and features of Perth and Kinross’s landscapes; which requires reference to the Tayside Landscape Character Assessment. Accordingly, development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. They will need to demonstrate that either in the case of individual developments, or when cumulatively considered alongside other existing or proposed developments:

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- (a) they do not erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character areas, the historic and cultural dimension of the area's landscapes, visual and scenic qualities of the landscape, or the quality of landscape experience;
- (b) they safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality;
- (c) they safeguard the tranquil qualities of the area's landscapes;
- (d) they safeguard the relative wildness of the area's landscapes including, in particular, the areas identified on the 2014 SNH Wild Land Areas map;
- (e) they provide high-quality standards in landscape design, including landscape enhancement and mitigation schemes when there is an associated impact on a landscape's qualities;
- (f) they incorporate measures for protecting and enhancing the ecological, geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape; and
- (g) they conserve the experience of the night sky in less developed areas of Perth and Kinross through design solutions with low light impact.

Development which would affect a Wild Land Area will only be permitted where the Council as Planning Authority is satisfied that:

- (a) the proposed development will not adversely affect the integrity of the area or the qualities for which it has been designated; or
- (b) any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.

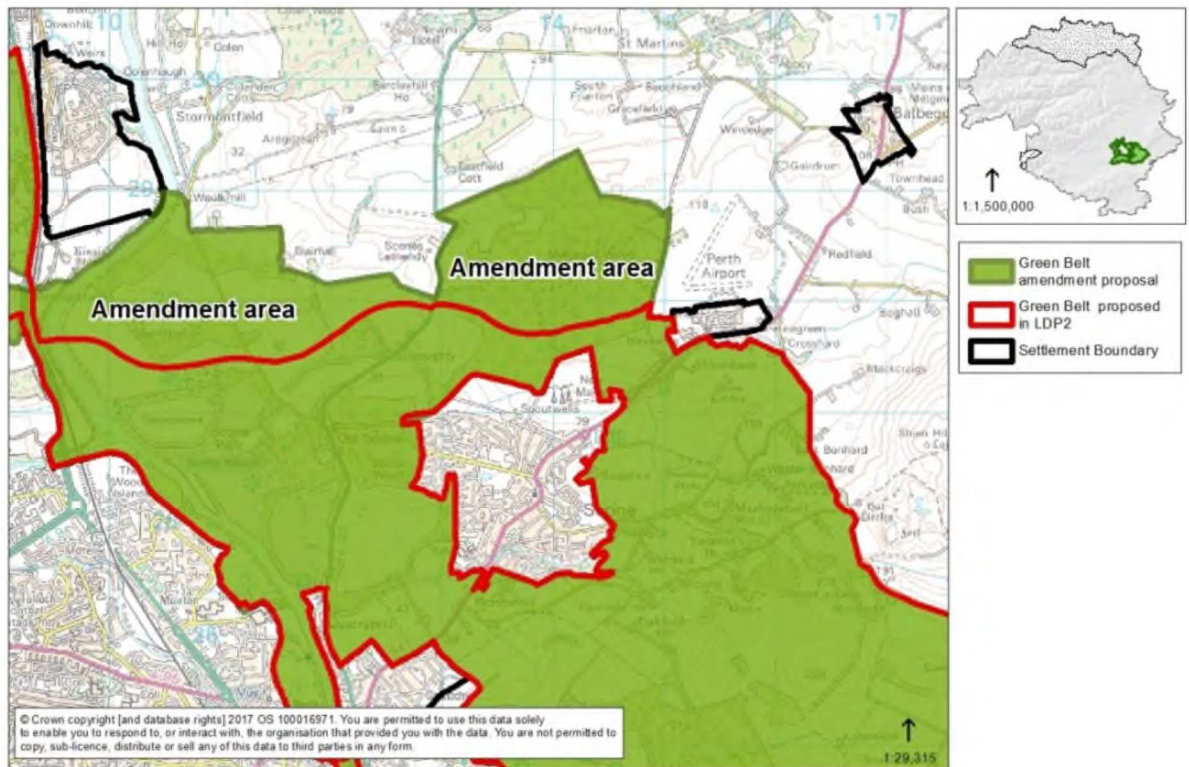
Amendment 3 (Councillors C Stewart and L Simpson)

An amendment is sought in relation to Policy 44: Perth Greenbelt Boundary, to amend the northern boundary of the Perth Greenbelt between the east bank of the Tay and the A94 to reflect the boundary as identified in the Adopted Local Development Plan 2014. Map A identifies the area to be included and Map B represents the Proposed Plan incorporating the proposed amendment.

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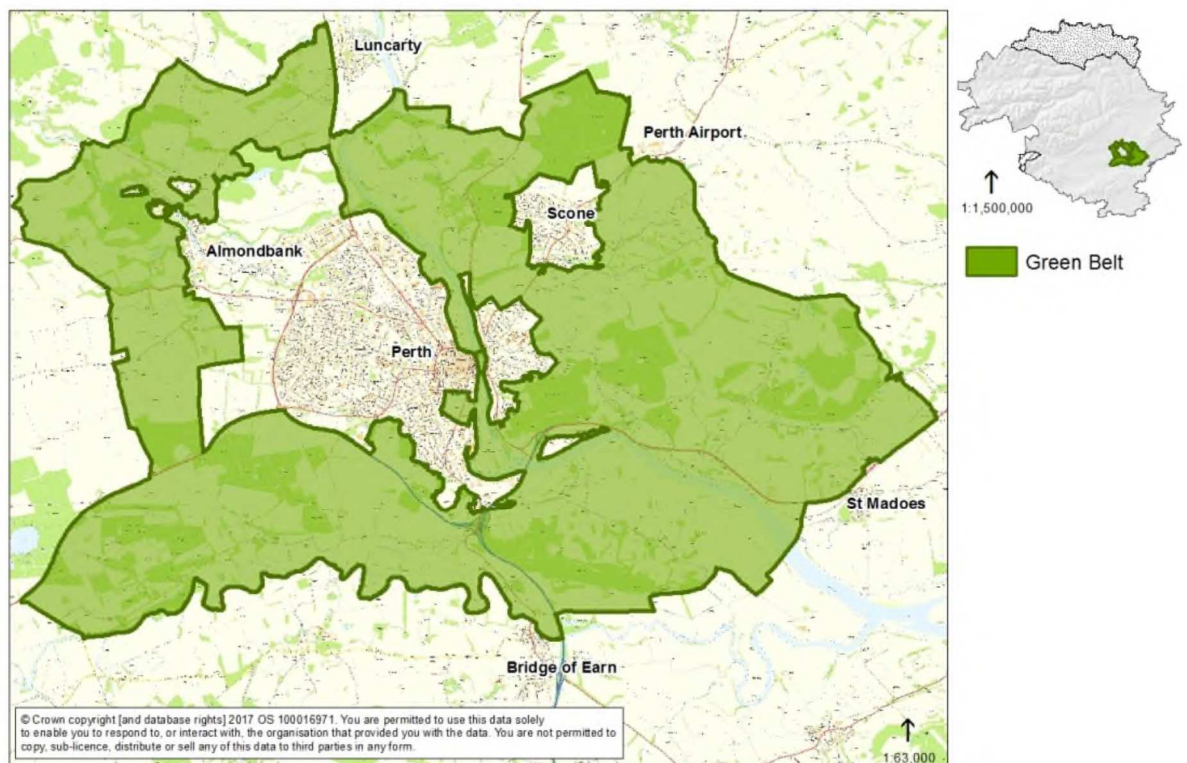
Map A

POLICY MAP E: GREEN BELT - Scone Extract



Map B

POLICY MAP F: GREEN BELT



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Amendments on Chapter 4 – Settlement Statements - Balado

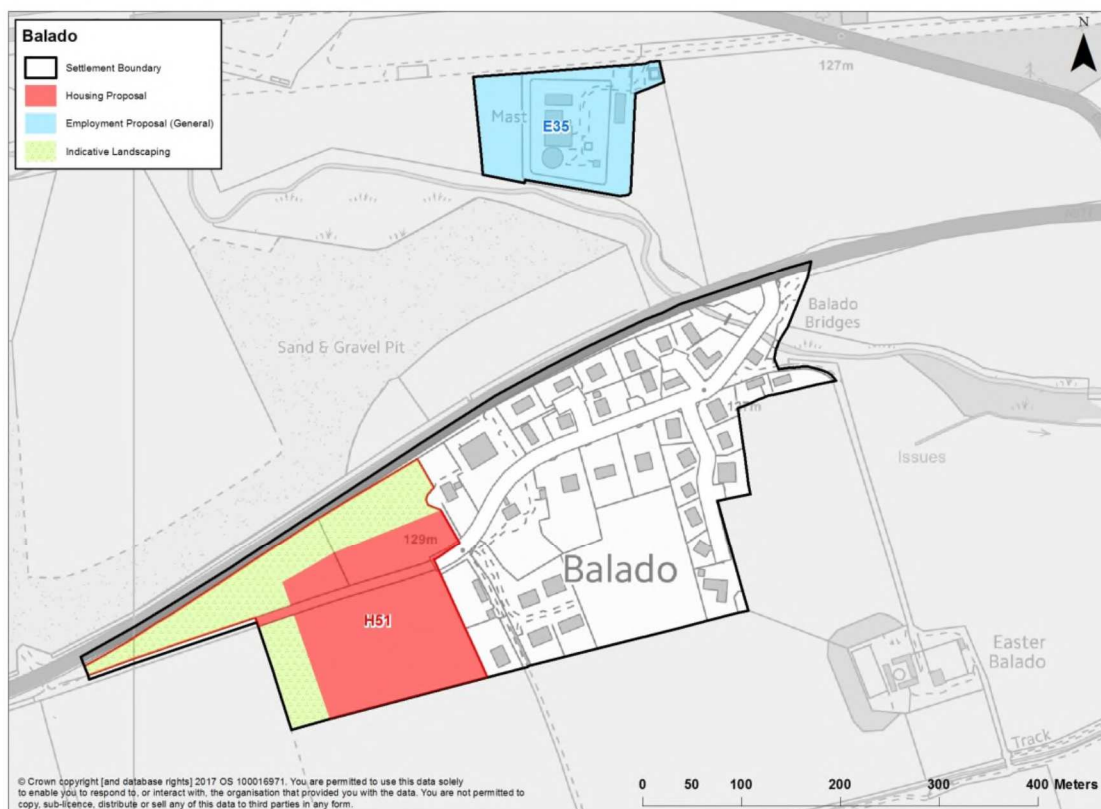
Amendment 4 (Councillors W Robertson and C Purves)

An amendment is sought to add “All new development should be connected to a publically maintained waste water treatment works”.

Amendment 5 (Councillors C Purves and W Robertson)

An amendment is sought to the Proposed LDP2 Balado settlement map to remove land at Beaufield from the settlement boundary. The proposed amendment is to replace as shown on the current settlement Map A with Map B below:

Map A



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Map B



The other consequential changes to Amendments 4 & 5 Amend the reference in the Settlement Statement to the settlement boundary identified for growth to reflect existing planning permissions, the first paragraph would read as follows:

“Balado is a small settlement that lies a mile to the west of Kinross on the A977. The village has been identified for growth to reflect existing planning permissions and is considered a sustainable location for limited small-scale development. All new development should be connected to a publically maintained waste water treatment works.

To the north of this small village is the former and decommissioned Balado Bridge NATO Communications facility, a recognisable feature of the area, known locally as the ‘Golf Ball’. The former NATO facility at Balado Bridge is identified for employment use to encourage the re-development of a brownfield site.”

Amendments on Chapter 4 – Settlement Statements – Crook of Devon and Drum

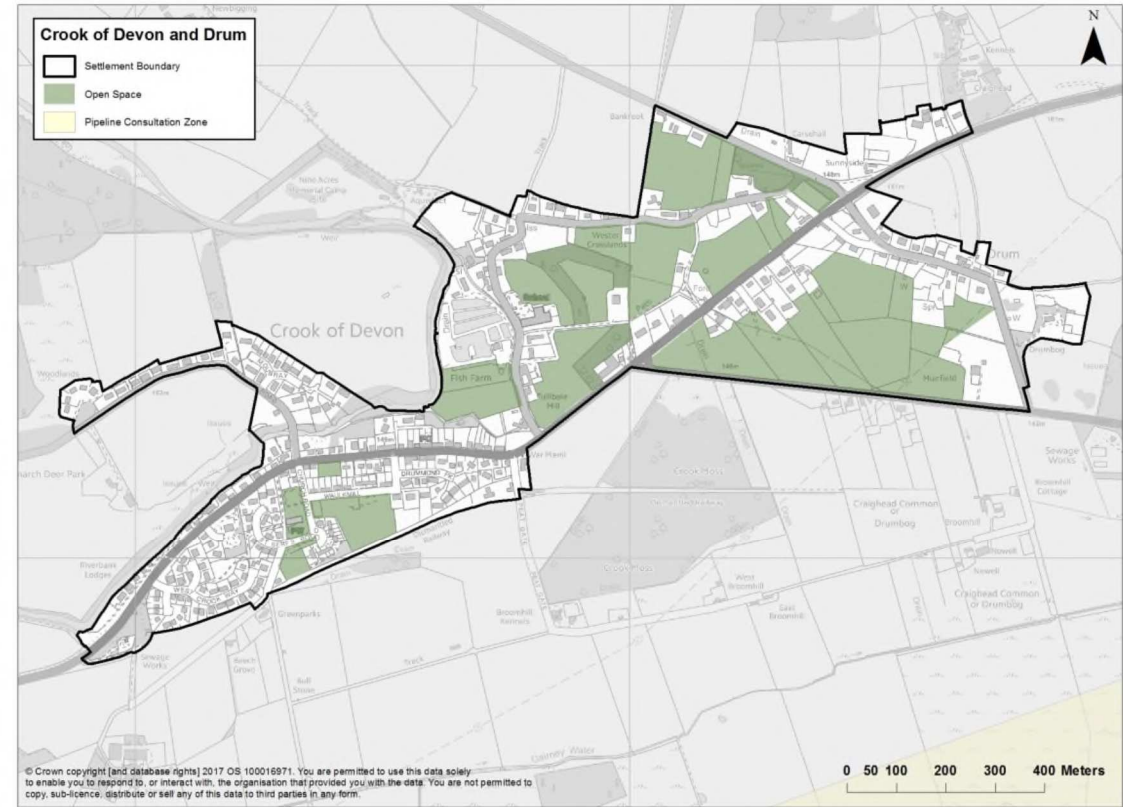
Amendment 6 (Councillors M Barnacle and R Watters)

An amendment is sought to the Proposed LDP2 Crook of Devon and Drum settlement summary to introduce a new proposal at Crook of Devon. Map A

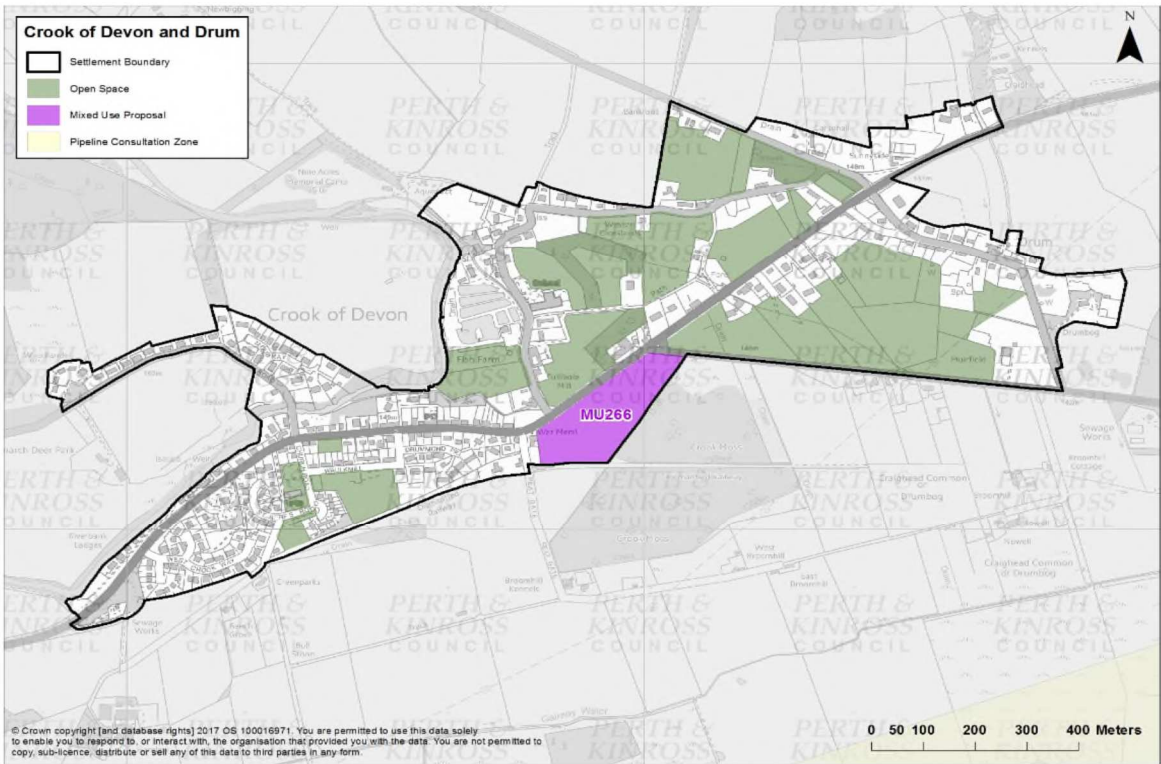
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should be replaced as shown below with Map B which includes a mixed use allocation:

Map A



Map B



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Ref	Location	Size	Number
MU266	Junction of A977 & B9097	3.1ha	Maximum of 30 homes, employment uses, farm shop/restaurant
<p>Site specific developer requirements</p> <p>Prepare a masterplan with a high quality design and layout which reflects its gateway position; and a landscape framework which retains some visual separation between Crook of Devon and Drum.</p> <p>The masterplan should be informed by:</p> <ul style="list-style-type: none"> • Landscape and Visual Impact Assessment • Transport Statement and review of pedestrian crossing facilities on the A977 and improved • provision where required • Market research into employment use, and farm shop viability (if there is not demand then provision of land for additional car parking and/or another agreed community use which would benefit the community) • an appropriate peat survey and management plan to minimise impact and implement suitable mitigation measures • Flood Risk Assessment • Drainage Impact Assessment to define area at risk and appropriate detailed layout and levels and SUDS. The SUDS for development proposals should include sufficient attenuation to protect those watercourses which flow into Loch Leven from erosion during periods of heavy rainfall. <p>The masterplan should provide:</p> <ul style="list-style-type: none"> • a significant landscape buffer along the A977 and the boundary with the village hall • bus shelter, additional car parking for the village hall, and contribution to A977 mitigation measures • an entrance feature • appropriate footpath provision along the frontage of the site, and with existing core path network. Also enhance footpaths between the site and school. • waymarked footpaths, disabled access and a woodland management plan for Crook Moss • 50% affordable housing • a Construction Method Statement where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on Loch Leven SPA. • financial contribution to education provision in line with the Supplementary Guidance 			

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This amendment also requires consequential amendments to the settlement summary, and the housing background paper.

Paragraph 1 in the settlement summary currently advises that these settlements have been identified as being able to accommodate some limited growth whilst the 2nd paragraph suggests that design workshops should be held to inform LDP3 to help examine and clarify the opportunities and get broad consensus and ownership of the possible solutions during preparation of LDP3. The paragraph referring to design workshops should be deleted since this allocation provides a long term opportunity for the villages, and the 1st paragraph should be amended paragraph to read:

“Crook of Devon contains a range of services and infrastructure including a shop, pub, primary school, recreation facilities and the Village Institute. The villages of Crook of Devon and Drum are considered capable of supporting further development. Identifying an allocation between Crook of Devon and Drum gives opportunity to support the village services without compromising the existing settlement pattern, in particular at Back Crook. Drainage will be required to connect to a publicly maintained waste water treatment works. Currently the treatment works at Drum and Crook of Devon are at or near capacity. It will be for Scottish Water to consider the most effective means of providing wastewater drainage.

The former fish farm is a brownfield site and its redevelopment will also be supported subject to an appropriate Flood Risk Assessment being carried out. Preference will be given to roadside development echoing the character of the original village.”

The housing background paper would add the 30 extra homes to the effective Housing Land Supply total and adjust the surplus to 26 homes in Table 4. Also the last sentence of the paragraph for Kinross Housing Market Area would need to be amended to saying the additional 40+ houses from review of site capacities would add to the small surplus which has been identified. Furthermore, a table should be added which assesses the capacity of the site.

Amendments on Chapter 4 – Settlement Statements – Perth – Burghmuir Reservoir

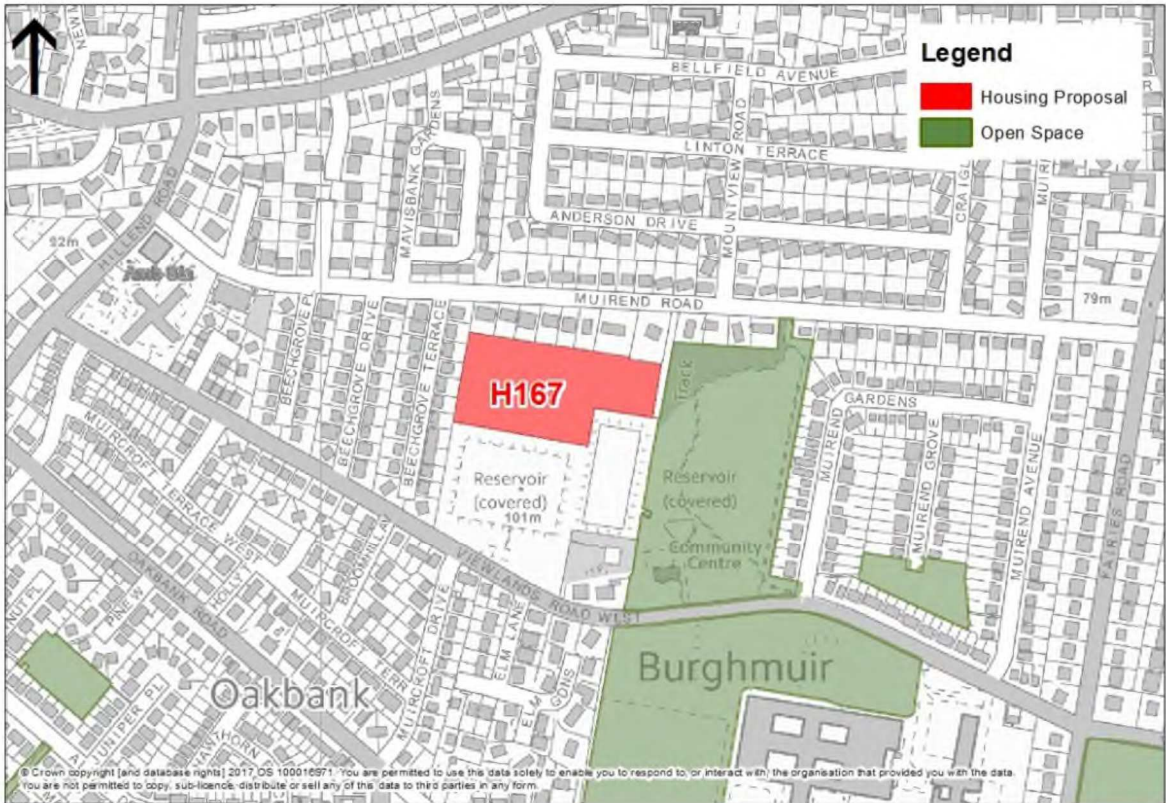
Amendment 7 (Councillors W Wilson and B Band)

An amendment is sought to the Proposed LDP2 Perth settlement maps to remove housing site H167 and replace it as white land within the settlement boundary. This area of land does not provide for a good housing site. It is surrounded by back gardens and the reservoir to the north and access to the site is poor.

Map A shows the current settlement map and Map B shows the proposed replacement:

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Map A



Map B



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Amendments on Chapter 4 – Settlement Statements – Perth – Murray Royal Hospital

Amendment 8 (Councillors P Barrett and C Ahern)

An amendment is sought to the Proposed LDP2 Perth settlement statement in respect of the developer requirements for MU336 Murray Royal Hospital site, to limit occupation of development on the site to the conversion of the Listed Buildings prior to the opening of the Cross Tay Link Road.

Table 1 shows the existing text and Table 2 the amended text with the amended wording in red.

Table 1

Ref	Location	Size	Number
MU336	Murray Royal Hospital	8.8ha	Residential and/or community uses*
Site Specific Developer Requirements			
A Masterplan setting out the phasing, delivery strategy and the comprehensive development of the whole of this site is required at the time of any planning application. Informing the masterplan will be:			
<ul style="list-style-type: none">• Transport Assessment. There may be capacity issues prior to CTRL completion• requiring sensitive phasing• Flood Risk Assessment from unnamed watercourse and surface water flooding.• Biodiversity surveys.• An archaeological survey to be undertaken and impacts on the historic environment will be avoided wherever possible through sensitive layout and design.• A full condition survey of existing listed buildings.			
Suitable numbers for this allocation will be determined by the master planning process. This masterplan should:			
<ul style="list-style-type: none">• Include early phasing of reuse of the listed buildings and a programme of repairs.• Consider appropriate use for the chapel investigating potential for community use.• Ensure sufficient pathway permeability throughout the former hospital site, connecting to and protecting the core path along the northern and eastern boundaries and providing connection to Gannochy Road.• Identify key features, that need to be retained as far as possible including the topography, woodland belts and avenues (some of which are covered			

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<p>by Tree Preservation Orders) and the attractive stone walls, minimising earthworks by utilising current ground levels.</p> <ul style="list-style-type: none"> • Retain important parkland setting southeast of the main buildings as open space. • Propose a strong landscape framework of trees throughout the development but especially along the north and east boundaries of the site. • Be sensitive to density as whilst there is likely to be loss of some of the open aspect an appropriate landscape plan will be important to ensuring any development sympathetically integrates into its parkland setting. • Due to the topography and the significantly visible nature of the site, consideration should be given to use of natural materials and sympathetically coloured materials for external finishes, avoiding large areas of white render so as to reduce visual prominence and settle the buildings into the natural surroundings. • Ensure that where new build or replacement elements are deemed acceptable they are of high design quality so that they make an appropriate contribution to the significance of the site. • Include a Construction and Environment Management Plan which minimises site traffic movements, ensures on-site parking for construction workers during construction phases, routing of construction traffic and consequent wear and tear of local roads, ensuring road cleaning where required. <p>* Note there is no estimate given on the numbers that will be appropriate as this will be a complicated proposal involving: flattened development; conversion of listed buildings; and retention of large areas of parkland setting</p>

Table 2

Ref	Location	Size	Number
MU336	Murray Royal Hospital	8.8ha	Residential and/or community uses*
<p>Site Specific Developer Requirements</p> <p>A Masterplan setting out the phasing, delivery strategy and the comprehensive development of the whole of this site is required at the time of any planning application.</p> <p>Informing the masterplan will be:</p> <ul style="list-style-type: none"> • A Transport Assessment will be required including for the sensitive phasing of the site. To fully address this, the assessment should take account of other committed development feeding into the Bridgend area, both within Perth and the wider Perth area. • Only the conversion of the Listed Buildings will be allowed to be occupied prior to the opening of the CTRL. • Flood Risk Assessment from unnamed watercourse and surface water 			

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flooding.

- Biodiversity surveys.
- An archaeological survey to be undertaken and impacts on the historic environment will be avoided wherever possible through sensitive layout and design.
- A full condition survey of existing listed buildings.

Suitable numbers for this allocation will be determined by the master planning process. This masterplan should:

- Include early phasing of reuse of the listed buildings and a programme of repairs.
- Consider appropriate use for the chapel investigating potential for community use.
- **Ensure sufficient pathway permeability throughout the former hospital site, connecting to and protecting the core path along the northern and eastern boundaries and providing connection to Gannochy Road.**
- Identify key features, that need to be retained as far as possible including the topography, woodland belts and avenues (some of which are covered by Tree Preservation Orders) and the attractive stone walls, **minimising earthworks by utilising current ground levels.**
- Retain important parkland setting southeast of the main buildings as open space.
- Propose a strong landscape framework of trees throughout the development but especially along the north and east boundaries of the site.
- Be sensitive to density as whilst there is likely to be loss of some of the open aspect an appropriate landscape plan will be important to ensuring any development sympathetically integrates into its parkland setting.
- Due to the topography and the significantly visible nature of the site, consideration should be given to use of natural materials and sympathetically coloured materials for external finishes, avoiding large areas of white render so as to reduce visual prominence and settle the buildings into the natural surroundings.
- Ensure that where new build or replacement elements are deemed acceptable they are of high design quality so that they make an appropriate contribution to the significance of the site.
- **Include a Construction and Environment Management Plan which minimises site traffic movements, ensures on-site parking for construction workers during construction phases, routing of construction traffic and consequent wear and tear of local roads, ensuring road cleaning where required.**

* Note there is no estimate given on the numbers that will be appropriate as this will be a complicated proposal involving: flattened development; conversion of listed buildings; and retention of large areas of parkland setting

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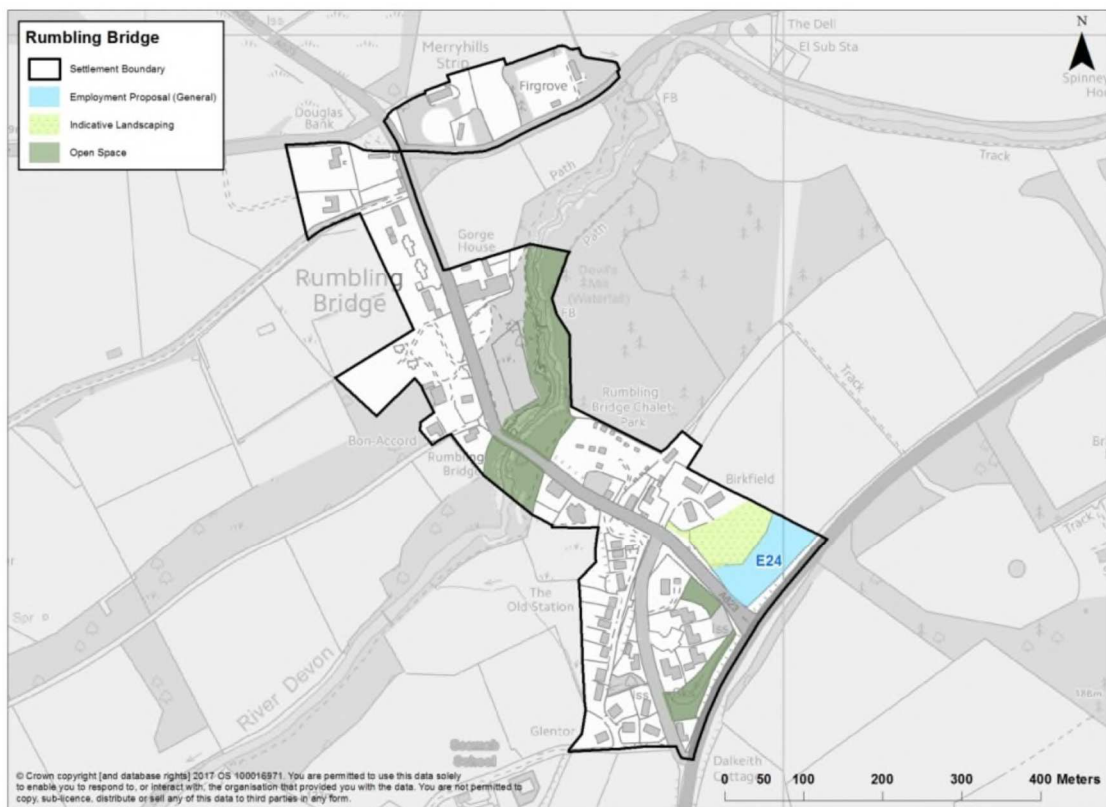
Amendments on Chapter 4 – Settlement Statements – Rumbling Bridge

Amendment 9 (Councillors W Robertson and M Barnacle)

An amendment is sought to the Proposed LDP2 Rumbling Bridge settlement map to include additional land at the gorge within the settlement boundary as part of the open space. This land provides landscape setting to the village and to the gorge and should be included within the settlement boundary as open space.

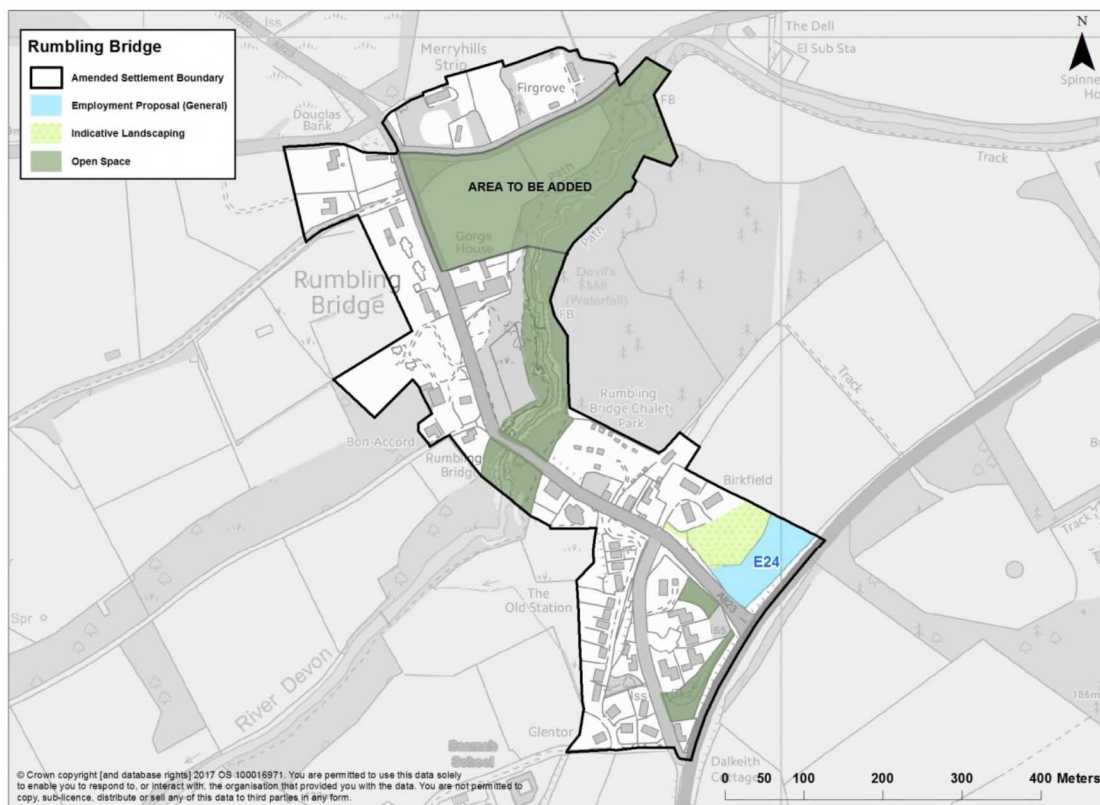
The Map A shows the current settlement map and Map B shows the proposed replacement:

Map A



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Map B



Amendments on Chapter 4 – Settlement Statements – Spittalfield

Amendment 10 (Councillors G Laing and I James)

An amendment is sought to the Proposed LDP2 Spittalfield settlement statement to remove the requirement for the employment land to be delivered in advance or in conjunction with residential development. It is considered that there is a real need for housing in the village and that this restriction is preventing it being delivered.

There is no requirement to amend the existing Map for Spittalfield. However the text in the table requires amended. Table 1 shows the existing text, and Table 2 the amended text.

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Table 1

Ref	Location	Size	Number
MU6	Spittalfield	2.13ha	Employment use and residential. Up to 20 houses on no more than 75% of site.
<p>To improve the quality and range of employment land appropriate residential development will be supported where employment uses are provided on the site.</p> <p>Site Specific Developer Requirements</p> <ul style="list-style-type: none"> • Comprehensive development of the site is required. Class 4-6 units or serviced land compatible with neighbouring residential uses. Employment land to be delivered in advance of or in conjunction with residential development. • Retention/protection and enhancement of woodland along the eastern boundary of site; green infrastructure on the site to link to this wider network. • Archaeological potential requires investigation with mitigation if necessary. • Enhancement of biodiversity. 			

Table 2

Ref	Location	Size	Number
MU6	Spittalfield	2.13ha	Employment use and residential. Up to 20 houses on no more than 75% of site.
<p>Site Specific Developer Requirements</p> <ul style="list-style-type: none"> • Class 4-6 units or serviced land compatible with neighbouring residential uses. • Retention/protection and enhancement of woodland along the eastern boundary of site; green infrastructure on the site to link to this wider network. • Archaeological potential requires investigation with mitigation if necessary. • Enhancement of biodiversity. 			

THERE FOLLOWED A 20 MINUTE RECESS AND THE MEETING RECONVENED AT 2.40PM

Note: The mover and seconder of the Motion agreed to incorporate Amendments 1-10 into the Motion.

Resolved:

In accordance with the revised Motion.

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